

J. David Morrissy

From: Ning Ye <yeningusa@gmail.com>
Sent: Wednesday, April 24, 2019 7:54 PM
To: J. David Morrissy
Subject: Re: Xia deposition

Dear Morrissy: My apology that I am not available for May 7. I do have criminal case hearing in upper New York for May 7. I propose that we finish both deposition within one day. 9-12 for Xia. 1:30-4:30 for Guo, on May 6 or May 8. At the same place. 3-hour deposition for each is good enough for both parties. If it is agreeable to your client, go ahead to schedule. Additionally, I am bilingual. Therefore, we had better to exchange information regarding interpreter ahead of time. Deposition can be held in either New York or Virginia. I leave the choice to you. to show my gentleman manner again in these pretrial arrangement. One thing I would like to give you a friendly reminder that it might be a mis-assessment for not taking our humble, decent and reasonable concession offer at this moment. My offer is only kept by the end of April. I figure out that it looks extremely hard for my client not to prevail on jury trial even given to VA's weak Anti-Slapp law. I just checked with the Clerk to make for sure whether there is a conference for 04/30/2019. As I told you that I would have a morning session of immigration hearing for 04/30/2019. If that VA hearing was scheduled, I could not wait but to find a covering counsel among the limited list to take my place. This small conflict that I had told everyone at the 1st place. Now I am very much relaxed that I don't have to assign my duty by paying the covering counsel outside my firm after double-checking with the Clerk, thanks Lord! Should you have any good ideas, please let me know ASAP. BTW, I double checked my Gmail box and did not see what you referred to as your client's answers to our three-parts discovery request. Best regards! Ning Ye

On Wed, Apr 24, 2019 at 5:16 PM J. David Morrissy <dmorrissy@zeklaw.com> wrote:

Mr. Ye:

Please refrain from calling the Court *ex parte* unless we speak first and agree upon what you plan to discuss with the Court. Although your intentions may be proper, you are unnecessarily confusing things and wasting the Court's (and everyone on this email's) time. Also, I am concerned that the Court may think you are acting with my authority and knowledge when you call Chambers – as it is inappropriate for you to call without my knowledge.

Further, please read your e-mails before making representations to the Court. In an e-mail I sent to you and Mr. Dennis **4 hours** before your call to the Court, I explained my timing and the current state of settlement negotiations to you and your co-counsel. Again. As I stated in that e-mail, I am scheduled to be on trial the week that you spoke to the Court about. So, I am not available, and neither is my client.

J. David Morrissy, Esq.



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From: Ning Ye <yeningusa@gmail.com>

Sent: Wednesday, April 24, 2019 3:10 PM

To: Harry A. Dennis <hdennis@dskvalaw.com>; Yeliang Xia <davidxia2017@gmail.com>; Rachael Gray <rgray@dsktlaw.com>

Cc: J. David Morrissy <dmorrissy@zeklaw.com>

Subject: Re: Xia deposition

Dear All: I just discussed with Brian, the clerk to Magistrate Judge Buchanan, to double check on the status conference on April 30, 2019. Mr. Brian told that there is no schedule for April 30, 2019. He advised that Judge Buchanan has the following openings: May 13, 14, and 16, (1:30pm). (Prof. Xia is available for 13th, and 14th. He has traveling plan for 16th, his wife is authorized to act as his proxy, if everyone chooses 16th) If these dates are good for all parties, just have one person contact Brian 7032992120. If all three days are no good for any one, then all need to join a conference call with the chamber to set up a date convenient for everyone. Best regards to all. Ning Ye

On Wed, Apr 24, 2019 at 10:55 AM Harry A. Dennis <hdennis@dskvalaw.com> wrote:

Mr. Morrissy,

I am out of the country from 5/1-5/9, however, I do not believe I need to be present for the deposition. Further, I did not follow up with chambers regarding the mandatory conference on 4/30 as I never heard back from you regarding your client's availability. I assume the judge's calendar is now filled for that day. Do you have any suggested available dates for later in May for that conference?

Hd3

On Apr 24, 2019, at 10:35 AM, J. David Morrissy <dmorrissy@zeklaw.com> wrote:

Good morning Gentlemen:

Tomorrow I plan on noticing your client's deposition for May 6, 7, or 8. It will largely depend on translator availability, however, to the extent you or our client have a preference, please let me know as soon as possible. Thank you.

-David

J. David Morrissy, Esq.

<image001.jpg>

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